

§ 1710.18

24 CFR Ch. X (4–1–04 Edition)

(Date)

(Signature)

(Title)

WARNING: Section 1418 of the Housing and Urban Development Act of 1968 (83 Stat. 598, 15 U.S.C. 1717 as amended) provides: “Any person who willfully violates any of the provisions of this title or the rules and regulations prescribed pursuant thereto * * *, shall upon conviction be fined not more than \$10,000.00 or imprisoned not more than five years, or both.”

[45 FR 40479, June 13, 1980, as amended at 49 FR 31370, 31373, Aug. 6, 1984]

§ 1710.18 No action letter.

(a) If the sale of lots is subject to the registration requirements of the Act but the circumstances of the sale are such that no affirmative action to enforce the registration requirements is needed to protect the public interest or prospective purchasers, the Secretary may issue a No Action Letter.

(b) To obtain a No Action Letter a developer must submit a request which includes a thorough description of the proposed transaction, the property involved, and the circumstances surrounding the sale.

(c) The issuance of a No Action Letter will not affect any right which a purchaser has under the Act, and it will not limit future action by the Secretary if there is evidence to show that affirmative action is necessary to protect the public interest or prospective purchasers. In no event will a No Action Letter be issued after the sale has occurred.

[45 FR 40479, June 13, 1980]

§ 1710.20 Requirements for registering a subdivision—Statement of Record—filing and form.

(a) *Filing.* In order to register a subdivision and receive an effective date, the developer or owner of the subdivision must file a Statement of Record with the Secretary. The official address to be used is:

Office of Interstate Land Sales Registration,
Department of Housing and Urban Development,
451 Seventh Street, SW., Wash-
ington, DC 20410.

When the Statement of Record is filed, a fee in the amount set out in § 1710.35(b) must be paid in accordance with § 1710.35(a).

(b) *Form.* The Statement of Record shall be in the format specified in § 1710.100 and shall be completed in accordance with the instructions in §§ 1710.102, 1710.105 through 1710.118, 1710.200, 1710.208 through 1710.216 and 1710.219. It shall be supported by the documents required by §§ 1710.208 through 1710.216 and 1710.219. It shall include any other information or documents which the Secretary may require as being necessary or appropriate for the protection of purchasers.

(c) *State filings.* A Statement of Record submitted under the provisions of 24 CFR part 1710, subpart C—Certification of Substantially Equivalent State Law, shall consist of the materials designated by the Certification Agreement between the Secretary and the certified State in which the subdivision is located.

(Pub. L. 90–448, 82 Stat. 476, 590; 15 U.S.C. 1701 *et seq.*)

[44 FR 21453, Apr. 10, 1979, as amended at 50 FR 10942, Mar. 19, 1985; 63 FR 54332, Oct. 8, 1998]

§ 1710.21 Effective dates.

(a) *General.* The effective date of an initial, consolidated or amended Statement of Record is the 30th day after the filing of the latest amendatory material unless the Secretary notifies the developer in writing prior to such 30th day that:

(1) The effective date has been suspended in accordance with § 1710.45(a), or

(2) An earlier effective date has been determined.

(b) *Suspension of effective date by developer.* (1) A developer, or owner, may request that the effective date of its Statement of Record be suspended, provided there are no administrative proceedings pending against either of them at the time the request is submitted. The request must include any consolidations or amendments which have been made to the initial Statement of Record. Forms for this purpose will be furnished by the Secretary upon request.